

Message Text

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10

ACTION EA-09

INFO OCT-01 ISO-00 IO-10 ACDA-05 AID-05 SAM-01 CIAE-00

DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00 PM-04

H-02 INR-07 L-03 NSC-05 PA-01 PRS-01 SP-02 SS-15

/071 W

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O R 250922Z AUG 75

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC IMMEDIATE 2333

INFO AMEMBASSY TOKYO

CINCPAC

C O N F I D E N T I A L SEOUL 6544

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PINT KS

SUBJECT: OPPOSITION LEADER INDICTED

REF: SEOUL 6497 (DTG 230912Z AUG 75)

1. CONTRARY TO OUR EXPECTATIONS, NDP LEADER KIM YONG-SAM WAS INDICTED AUGUST 23 FOR ALLEGED VIOLATION OF EMERGENCY MEASURE 9 DURING HIS PRESS CONFERENCE SAME DAY (REFTEL). KIM HAS NOT, HOWEVER, BEEN ARRESTED.

2. KIM HAS BEEN CHARGED WITH VIOLATION OF THE FIRST ARTICLE OF EM-9, WHICH FORBIDS "FABRICATING OR DISSEMINATING FALSE FACTS" URGING THE AMENDMENT OF THE CONSTITUTION AND "DEFAMING" EM-9 ITSELF. NDP SPOKESMAN HAN PYONG CHAE WHO WAS QUESTIONED HIMSELF BY THE PROSECUTOR'S OFFICE IN CONNECTION WITH THE CASE, TOLD POLCOUNS AUGUST 24 THAT INDICTMENT RELATES SPECIFICALLY TO THE CONSTITUTIONAL AMENDMENT PROHIBITION.

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3. HAN ALSO SAID THAT HE DOUBTED KIM WOULD BE ARRESTED

OR THAT THE CASE WOULD BE BROUGHT TO TRIAL, AT LEAST IN THE NEAR FUTURE. HE NOTED THAT THE GOVERNMENT WAS MAINLY INTERESTED IN MAKING IT CLEAR THAT EMERGENCY MEASURE 9 WAS TO BE TAKEN SERIOUSLY. IT WOULD BE HIGHLY RELUCTANT TO JAIL KIM OR TO PUT HIM ON TRIAL. HAN SAID THAT KOREAN LAW PERMITS A TRIAL TO BE PUT OFF INDEFINITELY WHEN THE PERSON CHARGED HAS NOT BEEN PLACED UNDER ARREST.

COMMENT:

ONE SIDE EFFECT OF THE INDICTMENT WILL PROBABLY BE TO RESTORE KIM YONG-SAM'S CREDENTIALS AS A FULL-FLEDGED OPPOSITIONIST. HIS RECENT TENDENCY TO COOPERATE WITH THE GOVERNMENT HAD LED TO SOME CRITICISM OF HIS ROLE WITHIN THE NDP.
SNEIDER

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NNN

Message Attributes

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Disposition Authority: BoyleJA
Disposition Case Number: n/a
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Disposition History: n/a
Disposition Reason:
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Margaret P. Grafeld
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06 JUL 2006

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TAGS: PINT, KS, NDP, (KIM YONG-SAM)
To: STATE
Type: TE
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